

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of: )  
 )  
Joseph J. Kubler et al. )  
 )  
Serial No. 10/706,425 )  
 )  
Filed: November 12, 2003 )  
 )  
For: Hierarchical Data Collection Network )  
Supporting Packetized Voice )  
Communications Among Wireless )  
Terminals And Telephones )  
 )  
Examiner: David Robert Vincent )  
 )  
Group Art Unit: 2661 )  
 )  
Confirmation No.: 8617 )

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Attached with this electronic submission are the following:

- A completed PTO/SB/08A which has one (1) page.
- A copy of each printed reference listed in the PTO/SB/08A form is attached. Applicants, however, have not submitted U.S. Patents or other references previously provided to or by the PTO in this application. Two (2) references are attached.

**FEE DETERMINATION AND PAYMENT**

No fee is believed to be due because:

- The applicant(s) believe(s) that this statement and attachments are being filed before the first Office action on the merits has been mailed by the PTO. The basis of this belief is that no Office action on the merits appears to have been received by the undersigned to date.

The Commissioner is hereby authorized to charge any fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

### **REQUEST FOR CONSIDERATION**

This paper and enclosures are believed to be entitled to consideration under 37 C.F.R. § 1.97, based on the facts stated above.

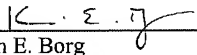
The owner of record of the present application, Broadcom Corporation, is currently involved in a patent infringement action with Qualcomm, Inc., Civil Action No. 05-467, pending in the Central District of California.

The references being submitted have been either cited, produced or relied upon by Qualcomm thus far during the above-mentioned actions. This submission is in no way intended as an admission that the submitted references constitute prior art under any subsection of 35 U.S.C. §102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

The Examiner is requested to initial both copies of the attached PTO/SB/08A and return one copy to the applicants to indicate consideration of the attached references.

Respectfully submitted,

Date: June 22, 2006

  
Kevin E. Borg  
Reg. No. 51,486  
McAndrews, Held & Malloy, Ltd.  
500 West Madison Street, Suite 3400  
Chicago, Illinois 60661  
(312) 775-8000

Substitute for form 1449A/PTO

(use as many sheets as necessary)

Sheet	1	of	1
-------	---	----	---

<b>Application Number</b>	10/706,425
<b>Filing Date</b>	November 12, 2003
<b>First Named Inventor</b>	Joseph J. Kubler et al.
<b>Group Art Unit</b>	2661
<b>Examiner Name</b>	David Robert Vincent
<b>Attorney Docket No.</b>	14364US11

Examiner  
Initials\*

Cite  
No.<sup>1</sup>

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published

C1

Amended Preliminary Invalidity Contentions with Exhibit E, 02/21/2006

C2

KOYAMA et al., "Personal Multimedia Communication Systems", 44(4), Hitachi Review 207, Hitachi, Ltd., 08/1995